

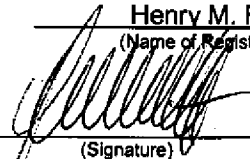
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: KESSLER

In re PATENT Application of: WINFRIED KESSLER et al.)) Examiner: Leykin, Rita) Group Art Unit: 2837)) Confirmation No.: 9976)))
Appl. No.: 10/598,768)
Filing Date: June 18, 2007)
For: ACTUATOR AND METHOD FOR OPERATING AN ACTUATOR)

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF EFS-WEB TRANSMISSION	
I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on <u>March 12, 2009</u> , Date	
<u>Henry M. Feiereisen</u> (Name of Registered Representative)	
 (Signature)	<u>3-12-2009</u> (Date of Signature)

S I R:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated November 12, 2008 of the Examiner rejecting claims 15, 17, 18, 23-26 and 31-41.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

☒ other than small entity

☐ small entity

Verified Statement

☐ attached

☐ already filed on _____

2. FEE FOR FILING NOTICE OF APPEAL

Persuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

- () small entity \$270.00
(X) other than a small entity \$540.00

Notice of Appeal Fee due \$540.00

3. EXTENSION OF TERM

- a. (X) The Commissioner is hereby petitioned to extend the period for response to above-referenced Official Action by ONE month until March 12, 2009. Accompanying this amendment is the appropriate fee of \$130.00 pursuant to 37 C.F.R. §1.17(c) and 37 C.F.R. §1.136(a).
b. () Request for Extension of Time was filed on together with a Request for Reconsideration, and the appropriate fee of was paid.

4. TOTAL FEE DUE

The total fee due is

Notice of Appeal fee \$540.00
Extension fee (if any) \$130.00

TOTAL FEE DUE \$670.00

5. FEE PAYMENT

- (X) The fee of \$670.00 is being paid by Credit Card.
() Please charge the fee to Deposit Account No.06-0502.

6. FEE DEFICIENCY

- (X) The Commissioner is hereby authorized to charge payment of any additional fees which may be required with this communication, or credit any overpayment to Deposit Account No. 06-0502.

Respectfully submitted,

By: 
Henry M. Feiereisen
Reg. No.: 31,084
Agent for Applicant

Date: March 12, 2009
708 Third Avenue, Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF/RL:af